

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 11/12/2021**

SANDY GRACIANO, on behalf of  
himself and all other persons similarly  
situated,

Plaintiff,

v.

MOMOTARO APOTHECA LLC,

Defendant.

21-CV-8759 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

It has been reported to the Court that a settlement in principle has been reached.

Accordingly, it is hereby:

ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's docket if the application to restore the action is made within forty-five (45) days. Any application to reopen this action must be filed within forty-five (45) days of this order, and any application filed thereafter may be denied solely on that basis. If the parties seek to have the Court retain jurisdiction to enforce a settlement agreement, the terms of the agreement must be placed on the public record and "so ordered" by the Court within the same forty-five-day period. *See Hendrickson v. United States*, 791 F.3d 354, 358 (2d Cir. 2015). The Clerk of Court is respectfully directed to close this case. SO ORDERED.

Dated: November 12, 2021  
New York, New York



Ronnie Abrams  
United States District Judge